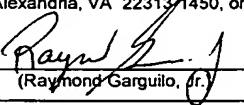


I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 31, 2005      Signature:   
(Raymond Garguilo, Jr.)

Docket No.: SPINE 3.0-437 CIPCIPCIPCIPCIPCIPCON V  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reexamination Application of:  
Errico et al.

Application No.: 10/784,629

Confirmation No.: 8400

Filed: February 23, 2004

Art Unit: 3738

For: INSTRUMENTATION FOR MANIPULATING  
ARTIFICIAL INTERVERTEBRAL DISC  
TRIALS HAVING A CYLINDRICAL  
ENGAGEMENT SURFACE

Examiner: Not Yet Assigned

**NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Assignee, SpineCore, Inc., hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the Applicant is hereby withdrawn.

Dated: January 31, 2005

Respectfully submitted,

By   
Raymond Garguilo, Jr.  
Registration No.: 50,930  
LERNER, DAVID, LITTBENBERG,  
KRMHOLZ & MENTLIK, LLP  
600 South Avenue West  
Westfield, New Jersey 07090  
(908) 654-5000  
Attorney for Applicant



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Joseph P. Errico, Michael W. Dudasik, and Rafail ZubokApplication No./Patent No.: 10/784,629 Filed/Issue Date: February 23, 2004Entitled: INSTRUMENTATION FOR MANIPULATING ARTIFICIAL INTERVERTEBRAL DISC TRIALS  
HAVING A CYLINDRICAL ENGAGEMENT SURFACESpineCore, Inc. , a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ ,  
Frame \_\_\_\_\_ , or for which a copy thereof is attached.**OR**B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Joseph P. Errico et al. To: Third Millennium Engineering, LLC  
The document was recorded in the United States Patent and Trademark Office at  
Reel 013441 , Frame 0325 , or for which a copy thereof is attached.
2. From: Third Millennium Engineering, LLC To: SpineCore, Inc.  
The document was recorded in the United States Patent and Trademark Office at  
Reel 014344 , Frame 0937 , or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_ , Frame \_\_\_\_\_ , or for which a copy thereof is attached.

 Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
SignatureJanuary 31, 2005  
DateRAYMOND GARGUILO, JR.  
Printed or Typed Name(908) 518-6342  
Telephone NumberAuthorized Signer for Assignee  
Title



FEB 03 2005

7/26

PTO-SB/82 (09-03)

Approved for use through 11/30/2005 OMB 0651-0035  
U S Patent and Trademark Office, U S DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

<b>REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS</b>	Application Number	10/784,629
	Filing Date	February 23, 2004
	First Named Inventor	Joseph P. Errico
	Art Unit	3738
	Examiner Name	
	Attorney Docket Number	SPINE 3.0-437 CIP CIP CIP CIP CIP CIP CON V

I hereby revoke all previous powers of attorney given in the above-identified application.

A Power of Attorney is submitted herewith.

OR

I hereby appoint the practitioners associated with the Customer Number: 000530

Please change the correspondence address for the above-identified application to:

The address associated with  
Customer Number: 000530

OR

Firm or  
Individual Name

Address

City

Country

Telephone

State

Zip

Fax

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Name Joseph P. Errico, SpineCore, Inc.

Signature 

Date 9/21/04

Telephone 908-522-3460

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

\*Total of 1 forms are submitted.